S.B. CIVIL WRIT PETITION NO.2621/2005

Lalit Kumar vs. State of Raj. and others.

Date : 9.5.2005

HON'BLE MR. PRAKASH TATIA, J.

Dr. Vineet Kothari, for the petitioner.
Mr. LR Upadhyay, Dy.GA, for respondent State.

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Learned counsel for the parties submit that this writ petition is squarely covered by the judgment of this Court delivered in SB Civil Writ Petition NO.6999/2003 (Smt. Bholaki vs. State of Rajasthan and others) decided on 18.3.2005 along with other writ petitions.

In view of the above, this writ petition is also allowed in terms of the aforesaid judgment and the orders passed by the appellate authority dated 23.10.2003 as well as passed by the District Transport and Taxation Officer, Pali dated 28.7.2003 are set aside and quashed. The matter is remanded back to the District Transport and Taxation Officer, Pali for deciding the matter afresh in accordance with law and the rules applicable as well as after carefully considering the application submitted by the petitioner and the documents annexed with it and the recommendation of the District Transport Authority,

Pali dated 14.3.2002 and the order passed by the Government dated 2.5.2002. The petitioner is directed to appear before the concerned authority on 30.5.2005 and the concerned authority shall pass the appropriate order within a period preferably within one month thereafter.

(PRAKASH TATIA), J.

S.Phophaliya